

(Draft – Awaiting Formal Approval)
**MINUTES OF THE
OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE**
Tuesday, June 18, 2013 – 4:00 p.m. – Room 20 House Building

Members Present:

Sen. John L. Valentine, Senate Chair
Rep. Derek E. Brown, House Chair
Sen. Karen Mayne
Sen. Todd Weiler
Rep. Gregory H. Hughes
Rep. Larry B. Wiley
Mr. Duane Gardner

Mr. Merlin Taylor

Members Absent:

Ms. Heather Johnston

Staff Present:

Mr. Bryant R. Howe, Policy Analyst
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Valentine called the meeting to order at 4:03 p.m. and excused Ms. Heather Johnson and Mr. Peter Asplund, Associate General Counsel, Office of Legislative Research and General Counsel, from the meeting.

2. Overview of Committee Duties and Responsibilities

Chair Valentine commented on the need for the Legislature to revisit how professions are licensed in Utah. He stated that the committee will look at which professions are licensed and which are not, whether there are viable options to licensure, and what recommendations the committee may make to the full Legislature with regard to licensure.

Rep. Brown concurred with Chair Valentine's comments and suggested that the committee look at what the criteria should be for licensure to be mandated in statute.

Mr. Howe distributed and reviewed "Utah Code Title 36 Chapter 23, Occupational and Professional Licensure Review Committee Act" and highlighted provisions regarding the membership and duties of the Occupational and Licensure Review Committee, which include a sunrise review of any proposals for new licensure, a sunset review of professions that are scheduled for termination under Section 63I-1-258 of the Legislative Oversight and Sunset Act, and the submission of an annual report before November 1 to the Legislative Management Committee and the Business and Labor Interim Committee.

Mr. Howe indicated that there is one occupation to review and several issues referred by the Legislative Management Committee that the committee will be looking at this year.

3. Overview of the Licensing of Occupations and Professions in Utah

Mr. Howe distributed "List of Active Professional Licenses" and noted that there are currently 56 professions, about 180 licenses, and a total of 187,585 professionally licensed persons in Utah.

Mr. Mark Steinagel, Director, Division of Occupational and Professional Licensing, presented "Occupational and Professional Licensing in Utah." Mr. Steinagel provided an overview of the division's organization and scope of responsibility and responded to committee members' questions regarding how complaints are resolved by the division.

Rep. Brown asked for a list of complaints by profession for the purpose of seeing if the majority of complaints focus on one particular profession or other.

Mr. Connor Boyack, Director, Libertas Institute, commented on funds received by the division through fees required for licensure applications and renewals and asked where the authority is given for the Division of Occupational and Professional Licensing's mission statement, "to protect the public and *enhance commerce*."

Mr. Steinagel responded by explaining that the phrase "enhance commerce" was presumed through the governor's mandate that the division comply with statute without harming commerce.

4. Review of Study Items for the 2013 Interim

Mr. Howe referred committee members to "Occupational and Professional Licensure Review Committee 2013 Interim," which was distributed in the mailing packet. He highlighted committee study items for the 2013 interim, as assigned by the Legislative Management Committee from 2013 General Session H.J.R. 20, "Master Study Resolution" and the required sunset review of the Massage Therapy Practice Act, which is scheduled for sunset July 1, 2014.

5. Other Items/Adjourn

Chair Valentine announced that the next meeting is tentatively scheduled for Tuesday, September 17, 2013, at 4:00 p.m.

Ms. Melissa Morrell, Utah Art Therapy Association, distributed "Information and Documentation in Support of Utah's Proposed Art Therapy License" and presented an overview of the association's request for art therapy licensure.

Ms. Morrell responded to committee members' questions. No action was taken on the issue.

MOTION: Sen. Weiler moved to adjourn the meeting. The motion passed unanimously.

Chair Valentine adjourned the meeting at 5:28 p.m.